

Senate Amendment to  
House File 2558

H-8387

1 Amend House File 2558, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. JUDICIAL BRANCH.

6 1. There is appropriated from the general fund of the state  
7 to the judicial branch for the fiscal year beginning July 1,  
8 2022, and ending June 30, 2023, the following amounts, or so  
9 much thereof as is necessary, to be used for the purposes  
10 designated:

11 a. For salaries of supreme court justices, appellate court  
12 judges, district court judges, district associate judges,  
13 associate juvenile judges, associate probate judges, judicial  
14 magistrates and staff, state court administrator, clerk of  
15 the supreme court, district court administrators, clerks of  
16 the district court, juvenile court officers, board of law  
17 examiners, board of examiners of shorthand reporters, and  
18 commission on judicial qualifications; receipt and disbursement  
19 of child support payments; reimbursement of the auditor  
20 of state for expenses incurred in completing audits of the  
21 offices of the clerks of the district court during the fiscal  
22 year beginning July 1, 2022; and maintenance, equipment, and  
23 miscellaneous purposes:

24 ..... \$190,100,550

25 From the moneys appropriated in this paragraph, the  
26 judicial branch shall fund the appointment of four new district  
27 associate judge positions and the associated support staff.

28 b. For deposit in the revolving fund created pursuant to  
29 section 602.1302, subsection 3, for jury and witness fees,  
30 mileage, costs related to summoning jurors, costs and fees for  
31 interpreters and translators, and reimbursement of attorney  
32 fees paid by the state public defender:

33 ..... \$ 3,600,000

34 2. The judicial branch, except for purposes of internal  
35 processing, shall use the current state budget system, the

1 state payroll system, and the Iowa finance and accounting  
2 system in administration of programs and payments for services,  
3 and shall not duplicate the state payroll, accounting, and  
4 budgeting systems.

5     3. The judicial branch shall submit monthly financial  
6 statements to the legislative services agency and the  
7 department of management containing all appropriated accounts  
8 in the same manner as provided in the monthly financial status  
9 reports and personal services usage reports of the department  
10 of administrative services. The monthly financial statements  
11 shall include a comparison of the dollars and percentage  
12 spent of budgeted versus actual revenues and expenditures on  
13 a cumulative basis for full-time equivalent positions and  
14 dollars.

15     4. The judicial branch shall focus efforts upon the  
16 collection of delinquent fines, penalties, court costs, fees,  
17 surcharges, or similar amounts.

18     5. It is the intent of the general assembly that the offices  
19 of the clerks of the district court operate in all 99 counties  
20 and be accessible to the public as much as is reasonably  
21 possible in order to address the relative needs of the citizens  
22 of each county. An office of the clerk of the district court  
23 shall be open regular courthouse hours.

24     6. In addition to the requirements for transfers under  
25 section 8.39, the judicial branch shall not change the  
26 appropriations from the amounts appropriated to the judicial  
27 branch in this Act, unless notice of the revisions is given to  
28 the legislative services agency prior to the effective date.  
29 The notice shall include information on the judicial branch's  
30 rationale for making the changes and details concerning the  
31 workload and performance measures upon which the changes are  
32 based.

33     7. The judicial branch shall submit a semiannual update  
34 to the legislative services agency specifying the amounts of  
35 fines, surcharges, and court costs collected using the Iowa

1 court information system since the last report. The judicial  
2 branch shall continue to facilitate the sharing of vital  
3 sentencing and other information with other state departments  
4 and governmental agencies involved in the criminal justice  
5 system through the Iowa court information system.

6 8. The judicial branch shall provide a report to the general  
7 assembly by January 1, 2023, concerning the amounts received  
8 and expended from the court technology and modernization fund  
9 created in section 602.8108, subsection 7, during the fiscal  
10 year beginning July 1, 2021, and ending June 30, 2022, and the  
11 plans for expenditures from each fund during the fiscal year  
12 beginning July 1, 2022, and ending June 30, 2023.

13 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
14 provision to the contrary, for the fiscal year beginning July  
15 1, 2022, and ending June 30, 2023, if all parties in a case  
16 agree, a civil trial including a jury trial may take place in a  
17 county contiguous to the county with proper jurisdiction, even  
18 if the contiguous county is located in an adjacent judicial  
19 district or judicial election district. If the trial is moved  
20 pursuant to this section, court personnel shall treat the case  
21 as if a change of venue occurred.

22 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
23 602.1509, for the fiscal year beginning July 1, 2022, and  
24 ending June 30, 2023, a judicial officer may waive travel  
25 reimbursement for any travel outside the judicial officer's  
26 county of residence to conduct official judicial business.

27 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
28 the annual salary rates for judicial officers established  
29 by this Act for the fiscal year beginning July 1, 2022, and  
30 ending June 30, 2023, the supreme court may by order place all  
31 judicial officers on unpaid leave status on any day employees  
32 of the judicial branch are placed on temporary layoff status.  
33 The biweekly pay of the judicial officers shall be reduced  
34 accordingly for the pay period in which the unpaid leave date  
35 occurred in the same manner as for noncontract employees of the

1 judicial branch. Through the course of the fiscal year, the  
2 judicial branch may use an amount equal to the aggregate amount  
3 of salary reductions due to the judicial officer unpaid leave  
4 days for any purpose other than for judicial salaries.

5 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent  
6 of the general assembly that the judicial branch utilize  
7 the Iowa communications network or other secure electronic  
8 communications in lieu of traveling for the fiscal year  
9 beginning July 1, 2022, and ending June 30, 2023.

10 Sec. 6. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

11 1. The salary rates specified in subsection 2 are for the  
12 fiscal year beginning July 1, 2022, effective for the pay  
13 period beginning June 24, 2022, and for subsequent fiscal  
14 years until otherwise provided by the general assembly. The  
15 salaries provided for in this section shall be paid from moneys  
16 allocated to the judicial branch from the salary adjustment  
17 fund, or if the allocation is not sufficient, from moneys  
18 appropriated to the judicial branch pursuant to this Act or any  
19 other Act of the general assembly.

20 2. The following annual salary rates shall be paid to the  
21 persons holding the judicial positions indicated during the  
22 fiscal year beginning July 1, 2022, effective with the pay  
23 period beginning June 24, 2022, and for subsequent pay periods:

24 a. Chief justice of the supreme court:

25 ..... \$ 196,106

26 b. Each justice of the supreme court:

27 ..... \$ 187,326

28 c. Chief judge of the court of appeals:

29 ..... \$ 175,619

30 d. Each associate judge of the court of appeals:

31 ..... \$ 169,765

32 e. Each chief judge of a judicial district:

33 ..... \$ 163,910

34 f. Each district judge except the chief judge of a judicial  
35 district:

1	.....	\$	158,056
2	g. Each district associate judge:		
3	.....	\$	140,495
4	h. Each associate juvenile judge:		
5	.....	\$	140,495
6	i. Each associate probate judge:		
7	.....	\$	140,495
8	j. Each judicial magistrate:		
9	.....	\$	43,318
10	k. Each senior judge:		
11	.....	\$	9,366

12 3. Persons receiving the salary rates established  
13 under this section shall not receive any additional salary  
14 adjustments provided by this Act or any other Act of the  
15 general assembly.

16 Sec. 7. Section 46.3, subsections 1 and 3, Code 2022, are  
17 amended to read as follows:

18 1. The governor shall appoint ~~five~~ six eligible electors  
19 of each judicial election district to the district judicial  
20 nominating commission.

21 3. No more than ~~a simple majority~~ half of the commissioners  
22 appointed shall be of the same gender.

23 Sec. 8. Section 46.6, subsection 2, Code 2022, is amended  
24 to read as follows:

25 ~~2. The judge of longest service in the district shall serve~~  
26 ~~as the chair of a particular district judicial nominating~~  
27 ~~commission. If the judges of longest service in the district~~  
28 ~~are of equal service, the eldest of such judges shall be~~  
29 ~~chairperson of the particular judicial nominating commission~~  
30 commissioners of the district judicial nominating commission  
31 shall elect a chairperson from their own number. The  
32 chairperson shall serve a two-year term that expires on April  
33 30 of even-numbered years. A commissioner may be reelected  
34 for a second or third term as chairperson. If a chairperson  
35 of a judicial nominating commission desires to be relieved

1 of the duties of chairperson while retaining the status of  
2 commissioner, the chairperson shall notify the governor and the  
3 other commissioners of the commission. At the next meeting of  
4 the commission, the commissioners shall elect a new chairperson  
5 for the remainder of the two-year term.

6     Sec. 9. Section 602.1301, subsection 2, paragraph b, Code  
7 2022, is amended to read as follows:

8     *b.* Before December 1, the supreme court shall submit to  
9 the director of the department of management an estimate of  
10 the total expenditure requirements of the judicial branch.  
11 The director of the department of management shall submit  
12 this estimate received from the supreme court to the governor  
13 ~~for inclusion without change in the governor's proposed~~  
14 ~~budget for the succeeding fiscal year.~~ The estimate shall  
15 also be submitted to the chairpersons of the committees on  
16 appropriations.

17     Sec. 10. Section 602.9116, Code 2022, is amended by adding  
18 the following new subsection:

19     NEW SUBSECTION. 3. The court administrator shall submit  
20 to the general assembly a copy of each actuarial valuation and  
21 annual actuarial update.>